

1 UNITED STATES DISTRICT COURT  
2 DISTRICT OF NEVADA  
3

4 Robert Dixon,  
5 Petitioner

6 v.

7 Director Nevada State Prison, et al.,  
8 Respondents  
9

2:17-cv-01636-JAD-GWF

**Screening Order**

[ECF No. 1]

10 Pro se petitioner and parolee Robert Dixon was convicted in 1989 of two  
11 counts of trafficking in a controlled substance. He filed this petition for a writ of  
12 habeas corpus<sup>1</sup> along with an application to proceed *in forma pauperis*.<sup>2</sup> I find that  
13 Dixon is unable to pay the filing fee, so I grant his pauper application and now  
14 screen his petition under Rule 4 of the Rules Governing Section 2254 Cases.

15 The proper respondents in a habeas petition by a state parolee are “his . . .  
16 parole officer ‘*and* the official in charge of the parole or probation agency, or the  
17 state correctional agency, as appropriate.”<sup>3</sup> Dixon named only the “Director  
18 Nevada State Prison”—an office that technically does not exist—and the “Attorney  
19 General of the State of Nevada” as respondents.<sup>4</sup> Dixon must instead name his  
20 parole officer, the official in charge of the state parole agency, the state attorney  
21 general as required by the petition form, and possibly the official in charge of the  
22 state department of corrections.

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24 <sup>1</sup> ECF No. 1-1.

25 <sup>2</sup> ECF No. 1.

26 <sup>3</sup> *See Ortiz-Sandoval v. Gomez*, 81 F.3d 891, 894 (9<sup>th</sup> Cir. 1996), *quoting* 1976  
27 Advisory Committee Notes to Habeas Rule 2 (emphasis by the Court of Appeals).

28 <sup>4</sup> ECF No. 1-1.

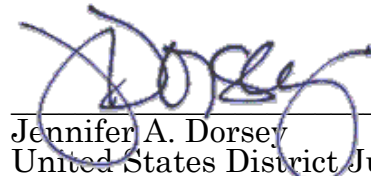
1 Accordingly, IT HEREBY IS ORDERED that petitioner's application [ECF  
2 No. 1] to proceed *in forma pauperis* is **GRANTED**; Dixon is not required to pay the  
3 filing fee.

4 The **Clerk of Court** is directed to **FILE** the petition, but **Dixon must MAIL** to  
5 the Clerk for filing an **AMENDED PETITION** naming the proper respondents by  
6 **December 4, 2017**, or this action will be **dismissed without further prior notice**.

7 Dixon must clearly title the amended petition as an amended petition by placing the  
8 word "AMENDED" immediately above "Petition for a Writ of Habeas Corpus" on  
9 page 1 in the caption, and he must place the docket number 2:17-cv-01636-JAD-  
10 GWF in the designated space above the word "AMENDED." Under Local Rule LR  
11 15-1, the amended petition must be complete in itself without reference to  
12 previously filed papers. **Thus, the claims and allegations that are stated in the**  
13 **amended petition will be the only matters remaining before the Court. Any claims**  
14 **or allegations that are left out of the amended petition or that are not re-alleged**  
15 **will not be considered.**

16 The **Clerk of Court** is directed to **SEND** to Dixon one copy each of a  
17 noncapital § 2254 petition form and the original petition that he filed.

18 DATED: November 3, 2017.

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20 Jennifer A. Dorsey  
21 United States District Judge  
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